

REMARKS

Claims 71-76, 78-83, 85-86, 88-148, and 150-153 were pending and allowed subject to interference in this application.

On the basis of the judgment in Interference No. 105,168, in which this application was involved, the Examiner has requested that claims 97, 98, and 150-153 be canceled. Pursuant to the Examiner's request, claims 97, 98 and 150-153 are canceled herein. Claims 154 and 155 have been added. Accordingly, claims 71-76, 78-83, 85-86, 88-96, 99-148 and 154-155 will be pending following entry of this Amendment.

Claims 71-76, 78-83, 85, 86, 88-96, and 101-132 have been amended for the purposes of clarification. Support for the recitation that the 8F4 polypeptide occurs on two-signal-activated human "CD4⁺ T lymphocytes from human peripheral blood," as recited in amended claims 71, 76, 78, 83, 85, 86 and 88, can be found, e.g., on page 12, line 20 and page 12, line 1 of the specification. Claims 71, 76, 78, 83, 85 and 86 have also been amended to clarify that the 8F4 polypeptide is recognized by the antibody "produced by the hybridoma" deposited with the DSMZ and assigned accession no. DSM ACC2539, since the hybridoma, not the antibody itself, was the subject matter of the DSMZ deposit (see Statement of Applicant Regarding Permanence and Availability of Deposited Microorganisms submitted in connection with the instant application on October 15, 2002). Support for the recitation "murine" in claims 71-76, 78-83, 88-96, and 101-114, 122-123 and 125-132 as amended herein, and in new claims 154-155, can be found in the specification, e.g., on page 7, lines 1-11 of the '283 application.

No new matter is added.

CONCLUSION

Applicant respectfully requests that the amendment and remarks made herein be entered and made of record in the file history of the subject application.

Respectfully submitted,

Date: November 23, 2005

Nikolaos C. George 39,201
Nikolaos C. George (Reg. No.)

JONES DAY
222 E. 41st Street
New York, New York 10017
(212) 326-3939

Enclosures

by: Muna Abu Sheas
LOO12 (Limited Recognition)